

ORIGINAL

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ATTORNEYS FOR THE CITY OF POCATELLO

RECEIVED

OCT 03 2008

DEPARTMENT OF
WATER RESOURCES

BEFORE DEPARTMENT OF WATER RESOURCES

STATE OF IDAHO

IN THE MATTER OF THE
PETITION FOR DELIVERY CALL
OF A&B IRRIGATION DISTRICT
FOR THE DELIVERY OF GROUND
WATER AND FOR THE CREATION
OF A GROUND WATER
MANAGEMENT AREA

Docket No.: 37-03-11-1

**NOTICE OF TAKING
DEPOSITION DUCES TECUM OF
VIRGIL TEMPLE**

TO: VIRGIL TEMPLE

PLEASE TAKE NOTICE that counsel for the IDAHO GROUND WATER APPROPRIATORS, INC. and the CITY OF POCATELLO will take the testimony on oral examination of **VIRGIL TEMPLE** pursuant to Rule 30 and applicable rules of the Idaho Rules of Civil Procedure. The deposition will take place before a court reporter and Notary Public

with the firm of M & M Court Reporting Service or other duly qualified person in the above-captioned matter. Said deposition will commence at the hour of 9:00 a.m. on **October 29, 2008** and continuing until completion, at the offices of **Barker, Rosholt & Simpson, LLP**, 113 Main Avenue W., Suite 303, Twin Falls, ID 83303-0485 at which time and place you are notified to appear and take part in such examination.

Pursuant to Idaho Rules of Civil Procedure 26, 30(b) (5), and 34, you are further instructed to bring to the deposition the following materials:

- (1) Copies of any notes, emails or other written material in your possession of conversations with representatives of A&B Irrigation District, their expert witnesses or attorneys.
- (2) Copies of all documents or written material you reviewed in preparation for this deposition.
- (3) Copies of all A&B Board agendas and minutes from 1970 to the present.
- (4) Copies of all written material you have in your possession that relates to the 1994 delivery call filed by A&B Irrigation District, including but not limited to notes, calendars, memoranda, or diaries that contain information about A&B well systems, well drilling, well siting, farm units, interconnection or possible interconnection of well systems or wells or farm units, well withdrawal amounts, drain wells and any other documents that you have in your possession that were created during the time of your employment with A&B Irrigation District.

DATED this 3rd day of October, 2008.

RACINE OLSON NYE BUDGE
& BAILEY, CHARTERED

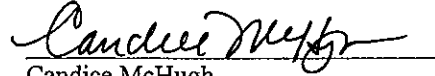


CANDICE M. MCHUGH

Attorneys for Idaho Ground Water Appropriators

CERTIFICATE OF MAILING

I hereby certify that on this 3rd day of October, 2008, the above and foregoing, was sent to the following by U.S. Mail proper postage prepaid and by email for those with listed email addresses:


 Candice McHugh

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